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UNCLAS **LA PAZ 2877**

USCINCSO FOR POLAD

SUBJECT: ALTMANN CASE ORDERED TO LOWER COURT

1. ON MAY 24 THE FISCAL GENERAL (ATTORNEY GENERAL) OF BOLIVIA ORDERED THE SUPREME COURT TO NAME A DISTRICT JUDGE FROM LA PAZ TO HOLD PRELIMINARY HEARINGS IN THE ALTMANN CASE. THE ATTORNEY GENERAL WAS ACTING UNDER PROVISIONS OF THE NEW JUDICIAL ORGANIZATION LAW RECENTLY PASSED BY THE GOB WHICH REQUIRES THAT EXTRADITION CASES BE HEARD FIRST BY AN INFERIOR COURT. THE ATTORNEY GENERAL'S ORDER REQUIRES THAT THE LOWER COURT CONSIDER TWO QUESTIONS: 1) THE EFFECT OF USING AN ALIAS OR ASSUMED IDENTITY IN ORDER TO OBTAIN BOLIVIAN CITIZENSHIP; AND 2) THE FRENCH GOVERNMENT EXTRADITION REQUEST.

2. COMMENT: IT SHOULD BE NOTED THAT THE ORDER IS SIGNED BY THE OUT GOING ATTORNEY GENERAL, DR ADALID HERBAS CASTRO. ALONG WITH A NEW LAW OF JUDICIAL ORGANIZATION, THE GOB HAS APPOINTED A NEW SUPREME COURT, NEW DISTRICT COURT MEMBERS AND A NEW ATTORNEY GENERAL, ALL OF WHOM TAKE OFFICE MAY 25. THE ORDER SEEMS TO BE A STRAIGHTFORWARD INTERPRETATION OF THE NEW JUDICIAL LAW. BARNEBEY

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